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FACULTY OF LAW - UNIVERSITY OF TORONTO

INDUSTRIAL PROPERTY

1985 Syllabus

1. TRADE MARKS AND UNFAIR TRADING:

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- Robic-Leger, "Canadian Trade Marks Act Annotated" (1984)
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- McCarthy, "Trademarks and Unfair Competition", 2nd ed. (1984)

Note: The underlined numbers at the left of some of the case citations below are page numbers in the following materials, where extracts from the case will be found.

(1) 1 Trade Marks Act, R.S.C. 1970, c. T-10

(2) Goodwill:

42 Haig v. Forth Blending, (1953), 70 R.P.C. 259, 261 ("Dimple" bottle)
44 Star Industrial v. Yap Kwee Kor, [1976] F.S.R. 256, 269-270 (Ace Brand)
49 Bollinger v. Costa Brava, [1960] R.P.C. 16; [1961] R.P.C. 116 (Champagne)
54 Vine Products v. MacKenzie, [1969] R.P.C. 1, 23-24, 27, 29 (Sherry)
60 Bulmer v. Bollinger, [1978] R.P.C. 79, 93-100, 117 (Champagne Cider)
74 Erven Warnink v. Townend, [1980] R.P.C. 31 (Advocaat)

(3) Section 7 of the Trade Marks Act:

MacDonald v. Vapor, [1977] 2 S.C.R. 134
Asbjorn Hogard v. Northwest Tackle, (1981), 56 C.P.R. (2d) 115

(4) The elements of passing off:

(a) Length of time plaintiff has traded:

97 Licensed Victuallers v. Bingham, (1888), 38 Ch. D. 139, 142-143
Stannard v. Reay, [1967] R.P.C. 389 (Mr. Chippy)
Maxwell v. Hogg, (1867) L.R. 2 Ch. App. 307 (Belgravia)
B.B.C. v. Talbot, [1981] F.S.R. 228 (Carfax)

Elida Gibbs v. Colgate-Palmolive, [1983] F.S.R. 95 (tree theme)
C.B.S. v. Logical Games, (1984), 221 U.S.P.Q. 498

(b) Territorial extent of plaintiff's reputation:

99 Brestian v. Try, [1958] R.P.C. 161, 170, 173 (Charles of London)
Stork Restaurant v. Sahati, (1948), 166 F. 2d 348
102 Ewing v. Buttercup Margarine, (1917), 34 R.P.C. 232, 237, 239
Taco Co. v. Taco Bell, (1982), 42 A.L.R. 177
105 Anheuser-Busch v. Budejovicky Budvar, [1984] F.S.R. 413, (Budweiser)
Vallé's Steak House v. Tessier, (1980), 49 C.P.R. (2d) 218
Orkin v. Pestco, (1984), 80 C.P.R. (2d) 153
Barratt v. Auto Electric, (1955), 21 C.P.R. 30
Brewster Transport v. Rocky Mountain Tours, [1931] S.C.R. 336 (Royal Blue Line)
White Horse Distillers v. Gregson, [1984] R.P.C. 61

(c) Risk of damage:

My kinda Town v. Soll, [1984] R.P.C. 407
108 Day v. Brownrigg, (1878), 10 Ch. D. 294, 304-305 (Ashford Lodge)
Kean v. McGivan, [1982] F.S.R. 119 (Social Democratic Party)
British Legion v. British Legion, (1931), 48 R.P.C. 555
110 McCulloch v. May, (1948), 65 R.P.C. 58, 64-67 (Uncle Mac)
115 Johnston v. Orr Ewing, (1882), 7 A.C. 219, 229-230 (two elephants ticket)
Newsweek v. B.B.C., [1979] R.P.C. 441, 447
117 Walter v. Emmott, (1885), 54 L.J. Ch. 1059, 1061-1065 (The Mail)
Cadbury-Schweppes v. Pub Squash, [1981] R.P.C. 429
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Champagne Moet et Chandon v. Sainsbury, (1982) 6 E.I.P.R. D-127
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Plomien v. National School of Salemanship, (1943), 60 R.P.C. 209
Fisher v. Star, (1921), 132 N.E. 133 (Mutt & Jeff)
Shaw v. Golden Harvest, [1972] R.P.C. 559 (the One-armed Swordsman)

(d) Similarity of marks:

122 Seixo v. Provezende, (1866), L.R. 1 Ch. App. 192, 194-7
124 Tartan v. Carling, [1970] S.C.R. 323 (Pilcan)
125 Saville v. June Perfect, (1941), 58 R.P.C. 147, 160-163

(e) Similarity of activities:

Francis Day & Hunter v. Twentieth Century-Fox, [1940] A.C. 112 (The Man Who Broke the Bank at Monte Carlo)
130 Yale v. Robertson, (1928), 46 F. 2d 972, 973-974
"The Rational Basis of Trademark Protection", (1927), 49 Harv. L.R. 813
132 Harrods Ld. v. R. Harrod Ld., (1923), 41 R.P.C. 74, 81, 87
Notre Dame v. Twentieth Century-Fox, (1965), 259 N.Y.S. 2d 832
Dallas Cowboys Cheerleaders v. Pussycat, (1979) 203 U.S.P.Q. 161
136 Annabel's v. Schock, [1972] R.P.C. 838, 844
Lego v. Lego, [1983] F.S.R. 155
138 Wombles v. Wombles, [1977] R.P.C. 99
139 Tavener Rutledge v. Trexapalm, [1977] R.P.C. 273 (Kojakpops)
140 Stringfellow v. McCain, [1984] R.P.C. 501
Children's TV Workshop v. Woolworths, [1981] R.P.C. 187 (Muppets)
Lorimar v. Sterling, [1982] R.P.C. 395 (Dallas)

(f) Publicity rights:

Booth v. Colgate-Palmolive, (1973), 179 U.S.P.Q. 619
Sim v. Heinz, [1959] R.P.C. 75
Krouse v. Chrysler, (1974), 1 O.R. (2d) 225
Racine v. C.J.R.C., (1978), 17 O.R. (2d) 370
Athans v. Canadian Adventure Camps, (1978), 17 O.R. (2d) 425
Heath v. Weist-Barron, (1982), 62 C.P.R. (2d) 92
Zacchini v. Scripps Howard, (1977), 97 S.Ct. 2849
Carson v. Reynolds, (1980), 49 C.P.R. (2d) 57
Saccone v. Orr, (1981), 34 O.R. (2d) 317
Exxon v. Exxon, [1982] R.P.C. 69
Multivision v. McConnell, (1983), 69 C.P.R. (2d) 1

(g) Nature and extent of recognition and of relief:

Cellular v. Maxton, (1899), 16 R.P.C. 397, 408
Reddaway v. Banham, [1896] A.C. 199 (Camel Hair Belting)
141 Treasure Cot v. Hamley, (1950), 67 R.P.C. 89, 91 93

(h) Descriptive terms:

144 Fawcett v. Valentine, [1950] Ex. C.R. 246, 254 (True Confessions)
Fawcett v. Popular Mechanics, (1937), 92 F. 2d 181
146 Office Cleaning Services, Ld. v. Westminister Window, (1946), 63 R.P.C. 39, 41-43
149 Burberrys v. Cording, (1909), 26 R.P.C. 693, 701, 704 (Slip-on)
152 Havana Cigar v. Oddenino, (1924), 41 R.P.C. 47, 55-56, 61 (Corona)
Ford v. Foster, (1872), 7 Ch. App. 611, 628

(i) Geographical terms:

157 Huntley v. Reading, (1893), 10 R.P.C. 277, 280-281

(j) Surnames:

159 Chivers v. Chivers, (1900), 17 R.P.C. 420, 429-430

(k) Name of the goods:

Linoleum v. Nairn, (1878), 7 Ch. D. 834

(l) Get-up:

161 Lever v. Goodwin, (1887), 4 R.P.C. 492, 506
Haig v. Forth, (1953), 70 R.P.C. 259, 261
Imperial Group v. Philip Morris, [1984] R.P.C. 293
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Sears v. Stiffel, (1964), 376 U.S. 225
167 Compco v. Day-Brite, (1964), 376 U.S. 234, 237-9
Boston Hockey Assn. v. Dallas Cap, (1975), 510 F. 2d 1004
Job's Daughters v. Lindeburg, (1980), 63 F. 2d 912

(m) Genuine goods:

Consumers Distributing v. Seiko Time, [1984] 1 S.C.R. 583
Revlon v. Cripps, [1980] F.S.R. 85
Wilkinson v. Cripps, [1982] F.S.R. 16
Illustrated Newspapers v. Publicity Services, (1938), 55 R.P.C. 172
Wilts United Dairies v. Robinson, [1957] R.P.C. 220, 237 affd. [1958] R.P.C. 94

(5) False or misleading representations:

Canada Safeway v. Manitoba Food & Chemical Workers, (1983), 73 C.P.R. (2d) 234
Benjamin v. Distributions Eclair, [1975] F.C. 250, 256
Loutone v. Canadian Everguard, (1972), 5 C.P.R. (2d) 240, 247
Cambridge University Press v. University Tutorial Press, (1928), 45 R.P.C. 335, 345
Testro v. Tennant, (1985), 2 I.P.R. 469
Hubbuck v. Wilkinson, [1899] 1 Q.B. 86
DeBeers v. International G.E.C., [1975] F.S.R. 323
Polydor v. Harlequin, [1980] F.S.R. 26
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172 Combines Investigation ACt, R.S.C. 1970, c. C-23 as amended
R. v. Consumers Distributing, (1981), 54 C.P.R. (2d) 50
R. v. Cunningham, (1974), 13 C.P.R. (2d) 244
R. v. Irving Oil, (1980), 47 C.P.R. (2d) 179

Jabour v. Law Society of B.C. (1983) 66 C.P.R. (2d) 1
R. v. Bristol-Myers, (1980), 45 C.P.R. (2d) 228
Rocois v. Quebec Ready Mix, [1980] 1 F.C. 184
Henuset v. Syncrude, [1980] 6 W.W.R. 218
182 Criminal Code, R.S.C. 1970, c. C-34
R. v. Strong, Cobb, Arner, (1974), 13 C.P.R. (2d) 216

(6) Registration of trade marks:

Galanos v. Registrar, (1983), 69 C.P.R. (2d) 144
Gerhard Horn v. Registrar, (1983), 73 C.P.R. (2d) 23
GWG v. Registrar, (1981), 55 C.P.R. (2d) 1
Registrar v. Provenzano (1978), 37 C.P.R. (2d) 189, affd. (1979) 40 C.P.R. (2d) 288
Johnson v. Marketing International, [1980] 1 S.C.R. 99
Conde Nast v. Gozlan, (1980), 49 C.P.R. (2d) 250
Nicholson's Application, (1931), 48 R.P.C. 227, 260, mod. (1932), 49 R.P.C. 88
Bombardier v. British Petroleum, (1972), 4 C.P.R. (2d) 204, affd. [1973] F.C. 480
MacEachern v. National Rubber, [1964] Ex. C.R. 135, 142
Siscoe v. Munn, [1959] Ex. C.R. 455, 468-469
Manhattan v. Princeton, (1972), 4 C.P.R. (2d) 6
Mayborn v. Registrar, (1983), 70 C.P.R. (2d) 1
Tubeco v. Association Quebecoise, (1980), 49 C.P.R. (2d) 228
Porter v. Don the Beachcomber, [1966] Ex. C.R. 982
Wenward v. Dynaturf, (1977), 28 C.P.R. (2d) 20
Motel 6 v. No. 6 Motel, (1981), 56 C.P.R. (2d) 44, 55-56
Wain v. Mady, [1965] 2 Ex. C.R. 3
Marineland v. Marine Wonderland, [1974] 2 F.C. 558
Re Andres & Gallo, (1976), 25 C.P.R. (2d) 126

(7) Rights acquired by trade mark registration:

(a) Section 20: bona fide use:

188 Bonus v. Essex. [1965] 1 Ex. C.R. 735, 753-754
Henkel v. Super Drugs
Joseph Rodgers & Sons Ld. v. W.N. Rodgers & Co., (1924), 41 R.P.C. 277
The Hurlbut Company v. The Hurlburt Shoe Company, [1925] S.C.R. 141
Talbot v. Webley, (1886), 3 R.P.C. 276
190 Stone v. Steelace, (1929), 46 R.P.C. 406, 416-419

(b) Section 22: depreciating the value of goodwill:

194 Clairol v. Thomas, [1968] 2 ex. C.R. 552, 556, 568-570, 575
Syntex v. Apotex, (1985), 1 C.P.R. (3d) 145
Source Perrier v. Fira-Less, (1983), 70 C.P.R. (2d) 61

(c) Section 19: exclusive right to use:

Building Products v. B.P. Canada, (1961), 36 C.P.R. 121, 131
Dunlop v. Booth, (1926), 43 R.P.C. 139, 145-146
Champagne Heidsieck v. Buxton, (1930), 47 R.P.C. 28
Castrol v. Automotive Oil Supplies, [1983] R.P.C. 315

(8) Distinctiveness:

(a) Statutory definition, s. 2:

Registrar v. Hardie, [1949] S.C.R. 483, 489, 492
Liverpool Cable's Application (1929), 46 R.P.C. 99, 124
199 Lea's Application, (1913), 30 R.P.C. 216, 221-222
Crosfield's Application, (1910), 26 R.P.C. 837, 857
201 Aladdin v. Canadian Thermos, [1969] 2 Ex. C.R. 80, 113-114, 119-120
Anti-Monopoly v. General Mills, (1983), 216 U.S.P.Q. 588
Great Lakes v. The Noshery, [1968] 2 Ex. C.R. 622, 636
Home Juice v. Orange Maison, [1970] S.C.R. 942
Somerlite v. Brown, (1934), 51 R.P.C. 205, 239
Sarco v. Sarco, [1968] 2 Ex. C.R. 537, 542
"Bostitch" Trade Mark, [1963] R.P.C. 183, 197
"Weston" Trade Mark, [1968] R.P.C. 167, 184
207 "GE" Trade Mark, [1969] R.P.C. 418, 448, 454, revd. [1970] R.P.C. 339, 372, 395, revd. [1973] R.P.C. 297, 336
Moore Dry Kiln v. U.S. Natural Resources, (1977), 30 C.P.R. (2d) 40
Registrar v. Aciers, (1979), 40 C.P.R. (2d) 28

(b) Effect of assignment:

Pinto v. Badman, (1891), 8 R.P.C. 181, 191-195
Globelegance v. Sarkissian, [1974] R.P.C. 603, 605
Rey v. Lecouturier, (1910), 27 R.P.C. 268
211 Lacteosote v. Alberman, (1927), 44 R.P.C. 211, 223-225
A & P v. Registrar, [1945] Ex. C.R. 233, 242
Dubiner v. Cheerio, [1965] 1 Ex. C.R. 524, 543
Breck's v. Magder, [1976] 1 S.C.R. 527
Leather Cloth v. American Leather Cloth, (1863), 4 De G.J. & S. 137, affd. (1865), 11 H.L.C. 523, 534-535

(c) Effect of licensing:

Hensher v. Restawile, [1975] R.P.C. 31, 37
214 Coles v. Need, (1933), 50 R.P.C. 379, 386-388
Coca-Cola v. Pepsi-Cola, [1938] Ex. C.R. 263, 291-292
Robinson v. Finlay, (1878), 9 Ch. D. 487
Habib Bank v. Habib Bank, [1982] R.P.C. 1
Good Humor v. Good Humor, [1937] Ex. C.R. 61, 73-74
Gray Rocks v. Snowy Eagle, (1972), 3 C.P.R. (2d) 9

Chalet v. Foodcorp, (1983), 66 C.P.R. (2d) 56
Mayborn v. Registrar, (1983), 70 C.P.R. (2d) 1
217 Bowden Wire v. Bowden Brake, (1914), 31 R.P.C. 385, 392
Sund v. Beachcombers, (1961), 27 D.L.R. 2d 434
Gattuso v. Gattuso, [1968] 2 Ex. C.R. 609
Dubiner v. Cheerio, [1965] 1 Ex. C.R. 524, 538-544, 556-560, affd. [1966] S.C.R. 206, 221-222
Weight Watchers v. Weight Watchers, (1973), 8 C.P.R. (2d) 118
Cheerio v. Cheerio, [1965] 1 Ex. C.R. 562
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(2) Corporeal works and incorporeal copyrights:

267 Canadian Admiral v. Rediffusion, [1954] Ex. C.R. 382
Re Dickens, [1935] 1 Ch. 267
Hay v. Sloan, (1958), 12 D.L.R. (2d) 397
Meikle v. Maufe [1941] 3 All E.R. 144
Netupsky v. Dominion Bridge, [1972] S.C.R. 368

(3) The Berne and Universal Copyright Conventions:

Ludlow v. Canint, [1967] 2 Ex. C.R. 109

(4) Authorship and ownership:

268 Donoghue v. Allied, [1938] 1 Ch. 106, 109-110
Wood v. Boosey, (1867) L.R. 2. Q.B. 346
Hartnett v. Pinkett, (1953), 103 L.J. 204

(5) Subject matter:

Redwood v. Chappell, [1982] R.P.C. 109
British Leyland v. Armstrong, [1982] F.S.R. 481
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Exxon v. Exxon Insurance Consultants [1982] R.P.C 69
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British Northrup v. Texteam, [1974] R.P.C. 57, 68
Tom Hopkins v. Wall & Redekop, (1985), 1 C.P.R. (3d) 348
CAPAC v. CTV, [1968] S.C.R. 676
Cuisenaire v. South West Imports, [1969] S.C.R. 208
IBM v. Ordinateurs Spirales, (1984), 80 C.P.R. (2d) 187
Apple v. Franklin, (1983), 219 U.S.P.Q. 113

(6) Originality:

286 Macmillan v. Cooper, (1923), 40 T.L.R. 186, 188
280 Football League v. Littlewoods, [1959] 2 All E.R. 546, 552, 555-556

British Columbia Jockey Club v. Standen, (1983), 73 C.P.R. (2d) 164
283 Deeks v. Wells, [1930] 4 D.L.R. 513, 522; affd. [1931] 4 D.L.R. 533, 547; affd. [1933] 1 D.L.R. 353, 356-357
287 Walter v. Lane, [1900] A.C. 539, 548-9, 556
Lipman v. Massachusetts, (1973), 475 F. 2d 565
Roberton v. Lewis, [1976] R.P.C. 169, 175
Time v. Geis, (1968), 293 F. Supp. 130
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(7) Infringement

Performing Right Society v. Rangers, [1975] R.P.C. 626
Rank v. Dodds, (1984), 2 I.P.R. 113
Compo v. Blue Crest, (1980), 45 C.P.R. (2d) 1
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Vigneux v. Canadian Performing Right, [1943] S.C.R. 348, 361; revd. [1945] A.C. 108
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Francis, Day & Hunter v. Bron, [1963] 2 All E.R. 16
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Elanco v. Mandops, [1980] R.P.C. 213
Chilton v. Progress, [1895] 2 Ch. D. 29
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Harper & Row v. Nation Enterprises, (1983), 220 U.S.P.Q. 321
Ravenscroft v. Herbert, [1980] R.P.C. 193
294 Harman v. Osborne, [1967] 2 All E.R. 324, 328
295 Nichols v. Universal Pictures, (1930), 45 F. 2d 119, 121
Universal v. Kamar, (1983), 217 U.S.P.Q. 1162
Holland v. Van Damm, [1936] MacG. Cop. Cas. 69
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300 Moreau v. St. Vincent, [1950] Ex. C.R. 198, 204-205, 207
303 Bauman v. Fussell, [1978] R.P.C. 485
Williams & Wilkins v. U.S., (1974), 487 F. 2d 1345, affd. (1975), 95 S. Ct. 1344
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CBS v. Ames, [1981] R.P.C. 407
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Lion Laboratories v. Evans, [1984] 2 All E.R. 417
The Queen v. Lorimer, (1984), 77 C.P.R. (2d) 262
R. v. Kirkwood, (1983), 73 C.P.R. (2d) 114
R. v. Steward, (1983) 42 O.R. (2d) 225
Gnass v. Cité d'Alma (June 30, 1977; P.Q.C.A.)
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338 Clatworthy v. Dale, [1929] S.C.R. 429, 434-5
340 Hensher v. Restawile, [1975] R.P.C. 31, 64, 62
Stenor v. Whitesides, (1948), 65 R.P.C. 1, 9
343 Amp v. Utilux, [1972] R.P.C. 103, 107-110, 113
347 Re Clarke's Design, (1896), 13 R.P.C. 351, 358, 361
King Features v. Kleeman, [1941] A.C. 417, 427
Bayliner v. Doral, (1985), C.P.R. (3d)
Ware v. Anglo-Italian (No. 1), [1922] MacG. Cop. Cas. 346
L.B. (Plastics) v. Swish Products, [1979] F.S.R. 145
Mazer v. Stein, (1954), 347 U.S. 201

(3) Novelty and originality:

349 Saunders v. Weil, (1893), 10 R.P.C. 29, 33
350 Dean's Rag Book v. Pomerantz, (1930), 47 R.P.C. 485, 491
351 Rosedale v. Airfix, [1957] R.P.C. 239, 244
Bata v. Warrington, (1985), C.P.R. (3d)
352 Kilvington v. Goldberg, (1957), 16 Fox Pat. C. 164
Valor v. Main Gas, [1973] R.P.C. 871, 877

(4) Infringement:

R. v. Premier Cutlery, (1981), 55 C.P.R. (2d) 134
358 Re Bayer's Design, (1907), 24 R.P.C. 65, 76-77
Phillips v. Harbro, (1920), 37 R.P.C. 233, 239-240
360 Walker v. Scott, (1892), 9 R.P.C. 482, 485
Toy Loader Application, (1978), 36 C.P.R. (2d) 234
Algonquin v. Dart, (1985), C.P.R. (3d)

(5) Registration:

Melnor v. Lido, [1971] S.C.R. 72

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(2) Subject matter:

Lane-Fox v. Kensington, (1892), 9 R.P.C. 413, 416
423 G.E.C.'s Application, (1943), 60 R.P.C. 1, 4
424 IBM's Application, [1980] F.S.R. 564, 568-569, 572-573
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(4) Novelty:

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(5) Obviousness:

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(8) Remedies:

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(9) Statutory curtailments:

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5. ABUSE OF EXCLUSIVE RIGHTS:

(1) Sales sub modo:

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550 Incandescent v. Cantelo, (1895), 12 R.P.C. 262, 264-265
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(2) U.S. and U.K. developments:

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(4) 559 The Combines Investigation Act, R.S.C. 1970, c. C-23 as amended:

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(5) Defences to infringement actions:

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(2) The nature of the information sought to be protected:

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